

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

TIMOTHY FERGUSON,)	
)	
Plaintiff,)	Case No. 20-cv-04046
)	
vs.)	Honorable Robert M. Dow, Jr
)	
COOK COUNTY, ILLINOIS, et al,)	Magistrate Gabriel A. Fuentes
)	
Defendants.)	

JOINT STATUS REPORT

The parties, by and through their counsel of record, submit this joint status report pursuant to ECF No. 145 and 146, stating as follows:

STATUS OF DISCOVERY

On September 27, 2023, the parties conferred regarding the remaining discovery to be completed. The following depositions dates were provided by Defendants:

1. Defendant Richard Bednarek: November 28th and 29th;
2. Defendant John Barloga: November 1st-3rd, 6th, and 10th;
3. Defendant Abelardo Mercado: November 1st, 2nd, and 8th; and
4. Defendant Eddie Ishoo: November 1st, 2nd, and 7th-9th.

Plaintiff is available to take the listed depositions November 1st-3rd and the parties are working toward completing the three officers depositions during that time. Plaintiff's counsel is not available to take the remaining depositions after November 6, 2023, because he is scheduled to try *U.S. v Kahn* (17 CR 29) in the District of Wyoming. After conviction at the first trial, cert was ultimately granted by the Supreme Court. After arguing to the justices, securing the remand of the case to the Tenth Circuit, and then securing the overturning of all convictions, the case must now be retried. It is going to last approximately 6 weeks, beginning on November 6, 2023. The dates when Mr. Bednarek is available are not possible for Plaintiff's counsel. Bednarek must be deposed. Plaintiff's counsel seeks dates in December and January for Bednarek's deposition. After approximately December 20, Plaintiff's counsel will be available to depose Bednarek.

No other depositions besides the depositions of the individual defendants have been noticed or are being sought by the parties. Therefore due to Plaintiff's scheduling conflicts explained above, Plaintiff proposes a cutoff to fact discovery on January 15, 2024. Expert discovery would then proceed as follows.

1. Plaintiff to disclose expert(s) by February 15, 2024;
2. Defendants to depose Plaintiff's expert(s) by March 15, 2024;

3. Defendants to disclose expert(s) by April 15, 2024; and
4. Plaintiff to depose Defendants' expert(s) by May 15, 2024.

Defendants object to Plaintiff's proposed discovery schedule and propose fact discovery in this matter should close on November 30, 2023. Expert discovery should then proceed as follows:

1. Plaintiff to disclose expert(s) by December 29, 2023;
2. Defendants to depose Plaintiff's expert(s) by January 29, 2024;
3. Defendants to disclose expert(s) by February 28, 2024; and
4. Plaintiff to depose Defendants' expert(s) by March 29, 2024.

All Defendants anticipate filing dispositive motions after the close of expert discovery and seek a deadline to file summary judgment by April 30, 2024.

Dated: September 28, 2023

Respectfully Submitted,

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